



United States  
Department of  
Agriculture

Farmers  
Home  
Administration

Washington  
D.C.  
20250

FmHA AN No. 2312 (1940)

June 19, 1991

SUBJECT: Hazardous Waste Reporting Requirements

TO: All State Directors, District Directors,  
County Supervisors, and State Environmental  
Coordinators

Purpose/Intended Outcome:

The purpose of this AN is to: (1) update field office responsibilities for reporting hazardous substances, (2) replace the format for the field to report hazardous waste sites to the State Environmental Coordinator (SEC) who, in turn, will notify the National Office, (3) require National Office notification of any contract(s) for hazardous waste site assessment and/or clean-up expenses when the total costs for these activities at a facility are projected to be in excess of \$50,000; and (4) inform field offices of the U.S. Department of Agriculture's Hazardous Waste Management Program (HWMP) which may be used to fund these contracts.

Comparison with Previous AN:

Previous ANs relating to this subject have expired.

Implementation Responsibilities:

Under the reporting requirements of the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), field office staff must immediately notify the National Response Center at U.S. Coast Guard headquarters in Washington, D.C. (toll-free: 1-800-424-8802) of any release of a hazardous substance(s) on or from an inventory property if the release is greater than or equal to the reportable quantity for that substance. A release is defined as any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. Release includes the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant. Release also means the substantial threat of future release, as well as past and present activities. Since reportable quantities vary depending on the substance, field office staff, rather than

EXPIRATION DATE: June 30, 1992

FILING INSTRUCTIONS:  
Preceding FmHA  
Instruction 1940-G



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reviewing complex reportable quantities lists, are advised to seek the services of the RCRA/Superfund Hotline at 1-800-424-9346 for any questions relating to the reportability of hazardous substances. When calling the hotline, callers should have on hand as much information as possible about the substance(s) and the amount(s) of the release. The Hotline will assist in determining if the release needs to be reported. Calling the hotline does not fulfill the requirement to report to the National Response Center.

In most instances field offices will also have to notify a state and/or local agency as most states have notification requirements regarding the release of hazardous substances. State Directors will determine their state's hazardous substance reporting requirements, and issue appropriate instructions to field offices. Even though immediate notification is given to a state agency, field offices must also notify the National Response Center. **The obligation to report to the National Response Center cannot be satisfied by notifying anyone else.**

The Deputy Secretary of Agriculture exercises primary responsibility to direct and coordinate environmental pollution control and abatement within the Department. Toward this end, the Deputy Secretary has developed a responsive alert and reporting procedure for use when a release occurs. Therefore, it is essential to FmHA that all hazardous substance releases be reported to the Program Support Staff (PSS) who will in turn keep the Deputy Secretary informed.

Field Offices will report to the SEC, and SEC's will report to PSS Attention: Don Lander (382-9619) in each of the following situations:

1. Immediately upon discovery of a release reportable to the National Response Center on inventory properties.
2. When a contract for a Phase I and/or II hazardous waste site assessment is awarded on inventory or non inventory properties, regardless of the amount of the contract.
3. Semiannually the first week of June and the first week of December as of the last day of the preceding month.  
**Negative reports are required.**

The prescribed format for the field offices to report to the SEC and SEC's to report to PSS is attached as Exhibit A to this AN.

Once a facility has been reported, it should be included in each semiannual report until the clean-up is complete including any required regulatory agency approvals, and the final total clean-up cost is reported.

All contracts for hazardous waste site assessment and/or clean-up for which a State Office has authorization, should be procured in accordance with FmHA Instruction 2024-A. Any such contracts where the total project cost is estimated to be over

\$50,000 must be reported to the National Office, PSS, prior to award of the contract. PSS will determine if funds are available from the USDA Hazardous Waste Management Program. If available, the Hazardous Waste Management Program will be used instead of the states' allocated contracting funds. Contracting officers must be made aware of the funding source prior to the award of the contract.

Exhibit B is a flow chart of the hazardous waste assessment/clean-up and reporting procedures for FmHA inventory properties which may be of assistance in fulfilling these requirements.

Should you have any questions, please contact Don Lander, Program Support Staff (382-9619).



LA VERNE AUSMAN  
Administrator

Attachments

# Hazardous Waste Report

Exhibit A

Initial ☐ Semiannual ☐ Inventory ☐ Non-Inventory ☐ Date:

To whom reported:

State Agency:

Telephone #:

Date:

Federal Agency:

Telephone #:

Date:

Property Identification:  
commonly known as  
Town, County and State

**Problem:**

**Solution:**

**Status:**

Attach additional sheets as needed.

Cost(s):

Estimated:

Final:

Assessment:

Assessment:

Clean-up:

Clean-up:

Total:

Total:

FY(s) and obligation:

Source of obligated funds:  
(check all sources)

FY

\$

ACIF

☐

\$

RDIF

☐

\$

FY

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RHIF

☐

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USDA-HWMP

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FmHA Contact Person  
Name, Title, Location  
& Telephone Number:

Name of SEC and Telephone Number:

